

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA *ex rel.*  
TERESA ROSS,

Plaintiff/Relator,

v.

GROUP HEALTH COOPERATIVE, INDEPENDENT  
HEALTH CORPORATION, DxID LLC, DR. JOHN  
HAUGHTON, and BETSY GAFFNEY,

Defendants.

---

**ORDER**  
12-CV-299S

The Relator filed the complaint in this *qui tam* action more than six years ago. (Docket No. 1.) Since that time, the government has filed 13 motions for extension of time to determine whether it will intervene in the action. On April 20, 2018, having already afforded the government substantial time to make its election, and given the long-pending nature of the case, this Court granted a final extension of time through October 24, 2018, for the government to make its intervention determination. (Docket No. 47.)

But rather than make its intervention election as directed, the government has now filed a fourteenth motion for extension of time to determine whether it will intervene. (Docket No. 48.) That motion is DENIED. The government must make its determination whether to intervene within 30 days of the entry date of this Order. Should the government fail to make such an election, this case will proceed as if the government

has declined to intervene.

SO ORDERED.

Dated: October 18, 2018  
Buffalo, New York

/s/William M. Skretny  
WILLIAM M. SKRETNY  
United States District Judge